FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Civil Application no.1276/2007 IN Writ Petition No. 3575/1993 (Decided)
(Anantram Zinguji Wadhai VERSUS State of Maharashtra and another)

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders | Court's or Judge's orders

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Shri Khandekar, Advocate for the applicant.
Shri Yengal, Assistant Government Pleader for State.

CORAM : A.H. Joshi AND
R.C. Chavan, JJ.
DATE : 4th July, 2007.

1. According to petitioner, the operative order in Writ Petition no.3575/1993 contains a direction that "The petition is, therefore, allowed by holding that the petitioner is entitled to continue in service till he attains the age of 60 years". Petitioner's grievance is that adhering to letter thereof the respondent has not calculated arrears till end of academic year and did not follow what followed further. According to petitioner, he was entitled for salary and allowances till end of academic year, since continuation till 60 years would essentially follow continuation till end of academic year.

2. As per rules, continuation of

employment up to the age of 60 years would essentially follow further continuation till end of academic year. This interpretation which is already adopted by this Court in group of cases of this category has not been disputed.

3. In this background, we direct that at the end of paragraph 7 of the judgment in Writ Petition no.3575/1993, following words to be added:-

"In the result, petitioner would be entitled to continue in the employment till the end of academic year till which he attains 60 years of age."

4. Office to carry out necessary correction in the judgment and issue necessary corrected writ.

JUDGE JUDGE

APTE